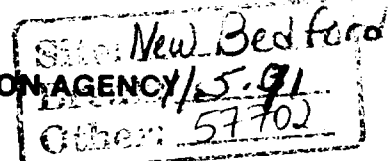




UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION I

J.F. KENNEDY FEDERAL BUILDING, BOSTON, MASSACHUSETTS 02203-2211



July 15, 1988

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McLaughlin & Folan  
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New Bedford, MA 02740

Re: New Bedford Harbor; Split Sampling

Dear Counsel:

This is in response to your letter of June 22, 1988, which responded to my letter of May 9, 1988.

We obviously do not agree that the May 9 letter was unresponsive to your request of April 27 for splits of sediment and water samples from monitoring of the pilot dredging program. As I have explained by telephone, principally with Leslie Ritts, EPA's scientists regard sediment samples as more appropriate for split sampling than water sampling. The general purpose of split sampling is to compare the results achieved by different laboratories analyzing the same sample, and it is EPA's feeling that such comparisons are more meaningful when higher concentrations of analyte can be expected in the sample.

Therefore, we responded to your previous letter by proposing to split sediment samples taken from the pre-operational phase of the Pilot Study program. We feel that our proposal, as it stands, provides a reasonable means of comparing results between laboratories. However, in the interest of openness, the government will make the following samples available to you:

- 1) Two sediment samples from the pre-operational phase, as described in our May 9 letter;
- 2) Sections of sediment cores, two (2) planned to be taken during July and two (2) at the conclusion of the Pilot Study, for a total of four (4) additional sediment samples;
- 3) Three (3) water samples, to be taken during implementation of the dredging project, one each from stations 1, 4, and 7;
- 4) One sample from a mussel homogenate which was prepared by Narragansett for intercalibration studies with other laboratories.

In addition, we are enclosing with this letter a table showing the results of the Narragansett Laboratories most recent participation in EPA Cincinnati's (EMSL) Water Pollution Laboratory Performance Evaluation Program, from April, 1988. The results are part of EPA's routine quality assurance program.

The samples from items one and four above are already available. We will ship them as soon as you notify us as to where you wish these samples shipped.

In return, as you have agreed in your June 22, 1988, letter, please ship samples from Dr. Brown promptly to:

U.S.E.P.A.  
Environmental Research Laboratory/ORD  
S. Ferry Road  
Narragansett, R.I. 02882  
(Attention: Richard Pruell)


As for your questions concerning the samples we would like to obtain from Dr. Brown, our proposal referred to the samples described in Attachment XIX-8 of Aerovox's January, 1987, RFA's. The description of these results includes such statements as those in Aerovox's RFA #19302, that "(s)ome GC patterns (e.g., 9A) resembled that of Aroclor 1242; (and) some (e.g., 18A) were quite similar to Aroclor 1254..." Dr. Brown has frequently stated that dechlorination, is not taking place throughout the Harbor. We propose that he identify a sample which he believes

does not show dechlorination, as well as one that he believes does, and provide us with a split of each.

As to your final requests, as we have stated, the defendants will be provided the same opportunities for site visits as the rest of the public. Similarly, we will release data to the defendants as promptly as possible.

In conclusion, I should note that neither the statute nor EPA's national guidance does not call for splitting of samples with PRPs during an RI/FS. Our willingness to do so in this case in no way reflects a decision by the Agency to undertake similar efforts in any other case, or in this case under any other circumstances than those proposed in this letter.

Yours Sincerely,

  
Charles C. Bering  
Assistant Regional Counsel

cc: Ellen Mahan  
Frank Ciavattieri  
Dave Hansen  
Mark Otis  
Nancy Preis

# PERFORMANCE EVALUATION REPORT

DATE: 5/ 1/96

WATER POLLUTION STUDY NUMBER WPO20

LABORATORY: SPO91

ANALYTES	SAMPLE NUMBER	REPORT VALUE	TRUE VALUE*	ACCEPTANCE LIMITS	WARNING LIMITS	PERFORMANCE EVALUATION
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## TRACE METALS IN MICROGRAMS PER LITER:

CADMIUM	1	137	130	159.- 208.	164.- 202.	ACCEPTABLE
	2	292	270	240.- 311.	249.- 302.	ACCEPTABLE
CHROMIUM	1	530	832	673.- 967.	709.- 930.	ACCEPTABLE
	2	97.0	89.2	64.6- 109.	70.1- 104.	ACCEPTABLE
COPPER	1	306	291	263.- 319.	270.- 312.	ACCEPTABLE
	2	102	100	86.7- 112.	89.8- 105.	ACCEPTABLE
IRON	1	1420	1410	1250.-1570.	1290.-1530.	ACCEPTABLE
	2	773	763	684.- 854.	705.- 833.	ACCEPTABLE
MANGANESE	1	216	211	186.- 233.	192.- 227.	ACCEPTABLE
	2	891	860	769.- 941.	790.- 920.	ACCEPTABLE
NICKEL	1	624	571	492.- 646.	511.- 627.	ACCEPTABLE
	2	227	171	146.- 196.	152.- 190. NCT	ACCEPTABLE
LEAD	1	156	171	143.- 200.	150.- 193.	ACCEPTABLE
	2	793	914	791.-1050.	813.-1020. CHECK FOR ERROR	
ZINC	1	698	650	552.- 734.	574.- 712.	ACCEPTABLE
	2	1330	1270	1090.-1430.	1140.-1390.	ACCEPTABLE

## PCB'S IN MICROGRAMS PER LITER:

PCB-AROCLOR 1016/1242	1	4.89	4.74	2.33- 6.56	2.37- 6.02	ACCEPTABLE
PCB-AROCLOR 1254	2	2.14	1.77	.994- 2.32	1.15- 2.16	ACCEPTABLE

\* BASED UPON THEORETICAL CALCULATIONS, OR A REFERENCE VALUE WHEN NECESSARY.